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EXAMINER

CHOWDHURY, SUMAIYA A

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Remarks, filed 8/25/08, with respect to claims 1-25, and 29-31 have been fully considered and are persuasive. The Office Action of 4/25/08 has been withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-25 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (U.S. Patent No. 6,536,041 B1) in view of Rosser (6750919).

Regarding claim 1, Knudson discloses "a system comprising: a display; and a receiver to receive a broadcast and to have an interactive channel bug into the broadcast, the interactive channel bug to facilitate interactivity without the need for tuning to a dedicated channel associated with interactive services, and to provide the broadcast and the interactive channel bug to the display", i.e., a display 190 as shown in Figure 13 and a receiver (as shown in Figure 1/set top box 52) for receiving interactive broadcasting services from a broadcaster, for example, real time data is providing on the same time with programming and program guides from television facility, and the

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display further provides an interactive channel controllable ticker including other icons (Fig. 13/item 187) regarding as interactive channel bug to display to the viewer for interactivity services (Fig. 13, 24-26, 27a-27c; and col. 7/lines 36-63 for set top box; col. 13/line 55 to col. 14/line 13 & col. 14/line 45-col. 15/line 13 & col. 15/line 30-42 for details on the controllable ticker wherein the ticker is independent from the television display, so that the user can still watch the television program and view interactive channel ticker for additional information based on the user's preferences and setup, and the category can be changed; the ticker is automatically scrolling, and the user does not need to tune to any dedicated channel associated with interactive services).

Knudson does not further teach in accordance with computer-readable instructions executed by the receiver, to morph an image into the received broadcast without user intervention.

In an analogous art, Rosser teaches that the receiver morphs an image into the received broadcast without user intervention (col. 7, lines 35-65).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Knudson's invention to include to include the above mentioned limitation, as taught by Rosser, for the advantage of automating the process morphing informative images into broadcasts at the receiver.

As for claims 2-3, Knudson further discloses "wherein the interactive channel bug is a graphical object" (Fig. 13, item 187 provides a graphical object, col. 14/line 14) and "wherein the graphical object includes an interactive broadcast channel branding logo"

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(Fig. 1/item for a branding logo, col. 14/line 14, since the icon is a television channel icon; or Fig. 25/item 310 for a sponsor logo).

As for claims 4-5, Knudson shows “wherein the receiver selectively causes the interactive channel bug to appear or morph” (Fig. 19 for having the channel ticker or not) and “wherein the interactive channel bug is a launching point for interactive services”, i.e., selecting these icons will cause to appear the display of the interactive session for browsing/buying products and services (Fig. 24, and col. 18/line 61 to col. 19/line 27 for icons can be interactively access to other links and information).

As for claim 6, Knudson discloses “wherein the interactive channel bug launches a functionality determined by a broadcaster or network operator, the functionality capable of changing over time”, i.e., the network changes to provide the icons over time based on the request or interest of the user, refer to Fig. 11 and 20, and col. 13/lines 17-36 and col. 17/lines 25-52 for different times set up for the interactive channel ticker).

As for claim 7, Knudson discloses “wherein the form of the interactive channel bug is to change to indicate the availability of new interactive services” (Figs. 11-12 as the live event data feed is updated regularly as if a new interactive service is available, see col. 13/line 17-67).

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As for claims 8-9, Knudson discloses “wherein a changed form of the interactive channel bug indicates the availability of interactive services associated with the broadcast” and “wherein a changed form of the interactive channel bug indicates the availability of interactive services associated with a purchase of products or services”, i.e., col. 13/line 55 to col. 14/line 13 & col. 14/line 45-col. 15/line 13 & col. 15/line 30-42 for details on the controllable ticker wherein the ticker is independent from the television display, so that the user can still watch the television program and view interactive channel ticker for additional information based on the user’s preferences and setup, and the category can be changed; the ticker is automatically scrolling for displaying updated and new interactive information; and Fig. 24, and col. 18/line 61 to col. 19/line 27 for icons can be interactively access to other links and information.

Regarding **claims 10-17** of “a method for a display system comprising: receiving a broadcast; receiving an interactive channel bug; morphing the channel bug into the broadcast, the interactive channel bug to facilitate interactivity; and providing the broadcast and the interactive channel bug to the display system” including the step of without the need for tuning to a dedicated channel associated with interactive services, **claims 18-25** of “a machine-readable medium providing instructions, which if executed by a processor, causes the processor to perform an operation comprising: receiving a broadcast; receiving an interactive channel bug; morphing the interactive channel bug into the broadcast, the interactive channel bug to facilitate interactivity; and providing the broadcast and the interactive channel bug to the display system” including the step

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of without the need for tuning to a dedicated channel associated with interactive services; these claims with same limitations addressed earlier are rejected for the reasons given in the scope of claims 1-9 as discussed in details above.

As for **claims 29-31** of “a method for providing interactive content comprising: capturing and analyzing a video stream to locate a standard non-interactive broadcast bug; determining a position of the standard non-interactive broadcast bug; aligning an interactive bug over the broadcast bug at the position; and displaying the interactive bug over the broadcast bug within the video stream”, Rosser teaches a scoreboard or sign is aligned over a back wall behind a batter (col. 7, lines 35-65).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUMAIYA A. CHOWDHURY whose telephone number is (571)272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Supervisory Patent Examiner, Art Unit 2421

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